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12 *Attorneys for Plaintiffs Oracle USA, Inc.,*
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13
14 UNITED STATES DISTRICT COURT
15
16 DISTRICT OF NEVADA

17 ORACLE USA, INC.; a Colorado corporation;
18 ORACLE AMERICA, INC.; a Delaware
corporation; and ORACLE INTERNATIONAL
19 CORPORATION, a California corporation,

20 Plaintiffs,

v.

21 RIMINI STREET, INC., a Nevada corporation;
and SETH RAVIN, an individual,

22 Defendants.

23 Case No. 2:10-cv-0106-LRH-VCF

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**DECLARATION OF ZACHARY
HILL IN SUPPORT OF ORACLE'S
OPPOSITION TO RIMINI'S
EMERGENCY MOTION UNDER
LOCAL RULE 7-4 TO STRIKE
ORACLE'S EXPERT REPORT
SUPPLEMENT AND CROSS-
MOTION TO REOPEN
DISCOVERY FOR THE LIMITED
PURPOSE OF DEPOSING
HEARING WITNESSES**

1 I, Zachary S. Hill, declare as follows:

2 1. I am an attorney with the law firm Morgan, Lewis & Bockius LLP, counsel to the
3 Oracle parties in this action. Based on my daily involvement in this case, I have firsthand
4 knowledge of the contents of this declaration and could testify thereto.

5 2. I make this declaration in support of Oracle's Opposition to Rimini's Emergency
6 Motion Under Local Rule 7-4 to Strike Oracle's Expert Report Supplement and Cross-Motion to
7 Reopen Discovery for the Limited Purpose of Deposing Hearing Witnesses.

8 3. On August 23, 2021, the parties held a meet and confer to discuss Rimini's
9 Emergency Motion Under Local Rule 7-4 to Strike Oracle's Expert Report Supplement. During
10 the meet and confer, Oracle offered to make Ms. Frederiksen-Cross available for a further
11 deposition in exchange for depositions of the three fact witnesses that Rimini intends to call
12 during the September 20, 2021 evidentiary hearing: Jim Benge, Brenda Davenport, and Craig
13 Mackereth. Counsel for Rimini stated during the meet and confer that it would consider Oracle's
14 proposal and provide a response before filing its emergency motion. As of the filing of this
15 declaration, counsel for Rimini has not provided a response to Oracle's proposal.

16 4. In the *Rimini II* litigation, Oracle disclosed a supplemental report from its damages
17 expert, Elizabeth Dean, on December 18, 2020. Oracle disclosed this supplement solely to update
18 her damages opinions for time passed. On March 4, 2021, Rimini disclosed a supplemental
19 rebuttal report from its expert, Jonathan Orszag. A true and correct copy of excerpts from the
20 supplemental rebuttal report of Jonathan Orszag is attached as Exhibit 1.

21 5. I declare under penalty of perjury that the foregoing is true and correct to the best
22 of my knowledge.

23
24 DATED: August 27, 2021

By: /s/ Zachary S. Hill
Zachary S. Hill

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2021, I electronically transmitted the foregoing DECLARATION OF ZACHARY HILL IN SUPPORT OF ORACLE'S OPPOSITION TO RIMINI'S EMERGENCY MOTION UNDER LOCAL RULE 7-4 TO STRIKE ORACLE'S EXPERT REPORT SUPPLEMENT AND CROSS-MOTION TO REOPEN DISCOVERY FOR THE LIMITED PURPOSE OF DEPOSING HEARING WITNESSES to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

MORGAN, LEWIS & BOCKIUS LLP

10 DATED: August 27, 2021

By: /s/ Zachary S. Hill
Zachary S. Hill

Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation